

REMARKS

Favorable consideration and allowance of the present application is respectfully requested.

Currently, claims 36-56, including independent claims 36, 48, and 55, are pending in the present application. Independent claim 36, for instance, is directed to a system for selectively replacing one set of web folding boards with another set of web folding boards. The system includes a first frame assembly secured to the first set of folding boards and a second frame assembly secured to the second set of folding boards. Each frame assembly is rotatable about an axis such that the assemblies are capable of moving into a web-receiving position for receiving one or more webs, such as facial tissues, napkins, wipes, etc. When positioned in the web-receiving position, the set of web folding boards is capable of receiving a web and imparting a fold thereto. By utilizing a system and method of the present invention, it has been discovered that a set of web folding boards can be quickly and efficiently replaced with another set of web folding boards.

In the Office Action, original independent claims 14, 26, and 32 were rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 3,472,504 to Murphy, et al. in view of U.S. Patent No. 3,513,743 to Montguire. Murphy et al. relates to the interfolding of a succession of webs by a series of folding devices. For example, as shown in Figs. 61-72, Murphy et al. describes a machine that includes a series of folding devices 175 that are disposed in a spaced-apart relationship with each other along the path of the stack 76. (Col 14, lines 24-35). However, Murphy, et al. fails to

disclose a system for selectively replacing one set of folding boards for another set. In fact, Murphy, et al. was only cited in the Office Action as disclosing a set of folding boards.

Nevertheless, Montguire was combined with Murphy, et al. in an attempt to render obvious original claims 14, 26, and 32. Montguire is directed to an apparatus for slitting thin, flat products of steel and other metallic and non-metallic compounds often mass-produced in the form of strips. Slitting knives can be placed on arbors for slitting the strips. Applicant initially notes that Montguire is not "analogous art" for purposes of an obvious rejection under §103. To rely on a reference as a basis for rejection, it must be either: (1) in the field of Applicant's endeavor or (2) reasonably pertinent to the particular problem with which the Applicant was concerned. (M.P.E.P. §2141.01(a)). In this case, Montguire is clearly not in the same field of endeavor as the present invention. Namely, Montguire is the field of slitting steel and other materials. On the other hand, the present claims are in the field of folding webs, such as tissue, napkins, wipes, etc. Moreover, Montguire is also not reasonably pertinent to the problems faced by the present inventor, i.e., the need for an improved web folding system.

However, even if considered analogous art, no motivation would have existed for one of ordinary skill in the art to combine these references in the manner suggested in the Office Action. Specifically, one of ordinary skill in the art would certainly not have been motivated to combine certain aspects of a reference relating to web folding devices with certain aspects of another reference relating to an apparatus for slitting strips of steel and other materials. It was indicated in the Office Action that "there is no requirement that a motivation to make the modification be expressly articulated."

Although the motivation for combining references may sometimes be implicit, no such implicit motivation exists in this case. In fact, it is not even clear how the web folding devices of Murphy, et al. would even be combined with the slitting apparatus of Montguire.

Applicant emphasizes that the teachings of the references must be viewed in their entirety, i.e., as a whole, to sustain a *prima facie* case of obviousness under 35 U.S.C. §103(a). Further, the appropriate test under 35 U.S.C. §103(a) is not whether the differences between the prior art and the claims are obvious, but instead whether the claimed invention as a whole would have been obvious. The differences between a particular claim and the cited references cannot be viewed in a vacuum. In this case, Applicant respectfully submits that, when properly viewed as a whole, there is simply no motivation to combine the references in the manner suggested in an attempt to render obvious the present claims. Thus, for at least the reasons set forth above, Applicant respectfully submits that independent claims 36, 48, and 55 patentably define over the above-cited references, taken alone or in any proper combination.

Moreover, even if combined, Applicant notes that Murphy, et al. and Montguire still fail to disclose the limitations of many of the present claims. For instance, dependent claims 47, 54, and 56 require that the axis about which the first frame assembly and the second frame assembly are rotatable is a horizontal axis. To the contrary, the slitting apparatus of Montguire rotates in a horizontal plane, and thus, about a vertical axis. (See e.g., Col 2, ll. 48-50). In the Office Action, it was stated that "all the rotating structures [have a] horizontal and vertical axis." Although this is an accurate statement, it is not dispositive. In other words, the mere fact that a horizontal

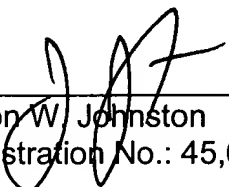
axis exists for the apparatus of Montguire does not mean that the apparatus is rotatable about the horizontal axis. Instead, as stated above, the apparatus of Montguire rotates about a vertical axis. Accordingly, Applicant respectfully submits that, even if combined, Murphy, et al. and Montguire fail to disclose the limitations of dependent claims 47, 54, and 56.

Thus, it is believed that the present application is in complete condition for allowance and favorable action, therefore, is respectfully requested. Examiner Desai is invited and encouraged to telephone the undersigned, however, should any issues remain after consideration of this Amendment.

Please charge any additional fees required by this Amendment to Deposit Account No. 04-1403.

Respectfully submitted,

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